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DATE: December 13, 2000

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COMMENTS:

Serial No: 08/974,186
Applicant: Boyle et al.
Date Filed: November 18, 1997
Docket No.: A-378D5C

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Boyle et al.

Serial No.: 08/974,186

Group Art Unit No.: 1632

Filed: November 18, 1997

Examiner: Weitach, J.

For: OSTEOPROTEGERIN

Docket No.: A-378D5C

SECOND AMENDMENT AFTER FINAL REJECTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please amend the application as follows:

In the claims:

Please cancel Claim 50 without prejudice.

49. (amended) A method of increasing [regulating] levels of osteoprotegerin in a mammal [an animal] comprising modifying the mammal [animal] with a nucleic acid encoding osteoprotegerin, wherein the modification of the mammal with the nucleic acid results in an increase in the level of osteoprotegerin.

51. (amended) The method of Claim 49 wherein the mammal [animal] is a human.

52. (amended) The method of Claim 51 wherein the nucleic acid encodes osteoprotegerin comprising [comprises] the amino acid sequence as shown in Figure 9B (SEQ ID NO: 5).

53. (amended) The method of Claim 51 wherein the nucleic acid encodes osteoprotegerin comprising [comprises] a [deletion or] carboxy-terminal truncation of the amino acid sequence as shown in Figure 9B (SEQ ID NO: 5).

Please add the following new claim:

54. (new) The method of Claim 51 wherein the nucleic acid encodes osteoprotegerin comprising a deletion of the amino acid sequence as shown in Figure 9B (SEQ ID NO: 5) wherein the deletion comprises removal of the amino terminal leader sequence.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below:

December 13, 2000
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